

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK**

**UNITED STATES OF AMERICA *EX*
REL. STACEY ROSENBERGER and
KELLEY RETIG AS CO-RELATORS;**

**STATE OF NEW YORK *EX REL.*
STACEY ROSENBERGER and
KELLEY RETIG AS CO-RELATORS,**

Plaintiffs,

v.

**STRAUSS VENTURES, LLC D/B/A
THE GRAND HEALTHCARE
SYSTEM; CENTER FOR
REHABILITATION AND
HEALTHCARE AT DUTCHESS LLC
D/B/A THE GRAND
REHABILITATION AND NURSING AT
PAWLING; CLEARVIEW
OPERATING CO. LLC D/B/A THE
GRAND REHABILITATION AND
NURSING AT QUEENS; RIVER
VALLEY OPERATING ASSOCIATES
LLC D/B/A THE GRAND
REHABILITATION AND NURSING AT
RIVER VALLEY; GRAND GREAT
NECK LLC D/B/A THE GRAND
REHABILITATION AND NURSING AT
GREAT NECK; GRAND SOUTH
POINT LLC D/B/A THE GRAND
REHABILITATION AND NURSING AT
SOUTH POINT; BARNWELL
OPERATIONS ASSOCIATES LLC
D/B/A THE GRAND
REHABILITATION AND NURSING AT
BARNWELL; GUILDERLAND
OPERATOR LLC D/B/A THE GRAND
REHABILITATION AND NURSING AT
GUILDERLAND; GRAND MOHAWK
VALLEY LLC D/B/A THE GRAND
REHABILITATION AND NURSING AT**

**Civil Action No. 1:19-CV-1311
(DNH/DJS)**

**ORDER OF PARTIAL
DISMISSAL**

MOHAWK VALLEY; GRAND §
BATAVIA LLC D/B/A THE GRAND §
REHABILITATION AND NURSING AT §
BATAVIA; CHITTENANGO CENTER §
LLC D/B/A THE GRAND §
REHABILITATION AND NURSING AT §
CHITTENANGO; ROME CENTER §
LLC D/B/A THE GRAND §
REHABILITATION AND NURSING AT §
ROME; HERITAGE OPERATING §
ASSOCIATES, LLC D/B/A THE §
GRAND REHABILITATION AND §
NURSING AT UTICA, §
§
Defendants. §

ORDER OF PARTIAL DISMISSAL

Pursuant to Rule 41(a) of the Federal Rules of Civil Procedure and the New York False Claims Act, N.Y. Fin. Law § 187 *et seq.*, and upon consideration of the *Notice of Partial Voluntary Dismissal* filed by Relators Stacey Rosenberger and Kelley Retig,

IT IS HEREBY ORDERED that

- (1) All of Relators' claims under the New York False Claims Act, N.Y. Fin. Law § 187 *et seq.* shall be dismissed with prejudice as to Relators and without prejudice as to State of New York;
- (2) Nothing herein shall be deemed as a dismissal of any claims Relators have filed on behalf of the United States under 31 U.S.C. § 3729 *et seq.*;
- (3) Nothing herein shall be deemed as a dismissal of Relators' rights to pursue their claims for reasonable attorneys' fees, costs and expenses under the federal False Claims Act.

IT IS SO ORDERED:


David N. Hurd
U.S. District Judge